

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**TROUT POINT LODGE, LIMITED, A Nova Scotia
Limited Company; VAUGHN PERRET and
CHARLES LEARY**

PLAINTIFFS

VERSUS

CIVIL ACTION NO: 1:12CV00090 LG-JMR

DOUG K. HANDSHOE

DEFENDANT

**MEMORANDUM BRIEF OF PLAINTIFFS TROUT POINT LODGE, LTD.,
A NOVA SCOTIA LIMITED COMPANY; VAUGHN PERRET; AND
CHARLES LEARY IN SUPPORT OF MOTION TO STRIKE REPLY
MEMORANDUM OF DEFENDANT DOUGLAS K. HANDSHOE**

On June 20, 2012 Plaintiffs filed their Motion for Summary Judgment [Docket No. 6] and supporting Brief [Docket No. 7]. On June 28, 2012 Defendant Handshoe filed his Memorandum in Opposition to Motion for Summary Judgment of Plaintiffs [Docket No. 11]. On July 11, 2012, Plaintiffs filed their Rebuttal Brief [Docket No. 16]. Pursuant to Uniform District Court Rule 7(b)(4) these are the only briefs allowed.

July 21, 2012 Defendant filed a surrebuttal brief [Docket No. 19] which works an unfair disadvantage on Plaintiffs since they are not able to reply to Defendant's surrebuttal argument.

Accordingly, Plaintiffs move the Court to strike Defendant's Reply Memorandum of Defendant, Douglas K. Handshoe [Docket No. 19].

Respectfully submitted, this the 28th day of July, 2012.

Trout Point Lodge, Limited, Vaughn Perret and
Charles Leary

By: s/ Henry Laird
Henry Laird, Mississippi Bar No. 1774

CERTIFICATE OF SERVICE

I, Henry Laird, do hereby certify that I have sent a true and correct copy of the foregoing Memorandum Brief in Support of Plaintiffs' Motion to Strike by using the ECF system to the following:

G. Gerald Cruthird, Esquire
Post Office Box 1050
Picayune, Mississippi 39466
Email: ggeraldc@bellsouth.net

Jack E. Truitt, Esquire
The Truitt Law Firm, LLC
149 North New Hampshire Street
Covington, LA 70433
Email: mail@truittlaw.com

This the 28th day of July, 2012.

s/ Henry Laird
Henry Laird

Henry Laird (MSB No. 1774)
Email: hlaird@joneswalker.com
Jaklyn Wrigley (MSB No. 103773)
Email: jwrigley@joneswalker.com
Jones, Walker, Waechter, Poitevent,
Carrère & Denègre, LLP
2510 14th Street, Suite 1125 (39501)
Post Office Drawer 160
Gulfport, MS 39502
Telephone: (228) 864-3094
Facsimile: (228) 864-0516